

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KORDELL KYLE BIG KNIFE,

Defendant.

**CR-17-79-GF-BMM**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 26, 2019. (Doc. 51.) Defendant Kordell Kyle Big Knife waived his right to object to Judge Johnston's Findings and Recommendations. *Id.* at 4. The Government did not file an objection. The Court will review Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 25, 2019. (Doc. 50.) The United States accused Big Knife of violating his conditions of supervised release by: (1) failing to report for substance abuse treatment and (2) consuming alcohol. (Doc. 51 at 2.) Big Knife admitted to both violations. *Id.*

Judge Johnston recommended that the Court revoke Big Knife's supervised release. *Id.* at 3. Judge Johnston recommended that Big Knife should serve a term of custody of three months followed by seventeen months of supervised release. *Id.* Judge Johnston further recommended that Big Knife serve the first 60 days of his period of supervision at Connections Corrections in Butte, Montana. *Id.* Judge Johnston recommended that Big Knife's supervised release conditions previously imposed be continued. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Big Knife's violations represent a serious breach of the Court's trust. A custodial sentence of three months, with seventeen months of supervised release to follow, with the first 60 days of supervised release spent at Connections Corrections in Butte, Montana, is a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 51) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Kordell Kyle Big Knife is sentenced to a term of custody of three months followed by seventeen months of supervised release. Big Knife shall spend the first 60 days of his period of supervision at Connections Corrections in Butte, Montana. The conditions of

supervised release previously imposed against Big Knife shall continue to be imposed.

DATED this 26<sup>th</sup> day of June, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line underneath.

Brian Morris  
United States District Court Judge